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SCHERING-PLOUGH CORPORATION
LAW DEPARTMENT
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KENILWORTH, NEW JERSEY 07033
(908) 298-4000

FACSIMILE TRANSMITTAL SHEET

TO:

USPTO

FAX NUMBER:

(703) 872-9306

Mailstop: Petition

FROM:

Palaiyur S. Kalyanaraman

PHONE NUMBER:

(908) 298-5068

TOTAL NO. OF PAGES INCLUDING COVER

16

DATE

March 23, 2004

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NOTES/COMMENTS:

PLEASE HAND DELIVER

In re Application of: Srikanth Venkatraman *et al.*
For Patent entitled: "Macrocyclic NS3-Serine Protease Inhibitors of Hepatitis C. Virus
Comprising Alkyl and Aryl Alanine P2 Moieties"

Group Art Unit: 1653

Filed: 04/17/2001


Attorney Docket No.: IN01155K - US

Serial No.: 09/836,636

Dear Examiner Lukton:

Transmitted herewith are:

- ✓ Fax Cover Sheet - 1pg.
- ✓ Certificate of Transmission under 37 CFR 1.8 - 1pg.
- ✓ Fee Transmittal - 1pg. in duplicate
- ✓ Application for Patent Term Adjustment... - 2pgs.
- ✓ Statement of the Correct Patent Term Adjustment... - 2pgs.
- ✓ Patent Term Adjustment (PTA) for Pub. No. 09/836,636 - 2pgs.
- ✓ Patent Term Online (Analysis Summary Report for Pub. No. 09/836,636) - 6pgs.


Palaiyur S. Kalyanaraman
Registered Representative
Registration No. 34,634

PHONE: (908) 298-5068

FAX: (908) 298-5388

03/23/04 17:28 FAX 908 298 5405

SCHERING-PLOUGH

002

Attorney Docket No.: IN01155K

Application No.: 09/836,636

Filing Date: 04/17/2001

First Named Inventor: Srikanth Venkatraman

PTO/SB/97 (08-03)

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306)

on 03/23/2004
Date



Signature

Palaiyur S. Kalyanaraman, Reg. No. 34, 634

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Document(s) being transmitted:

Fax Cover Sheet - 1pg.

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Patent Term Online (Analysis Summary Report for Pub. No. 09/836,636) - 6pgs.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 200.00)

Complete if Known

Application Number	09/836,636
Filing Date	04/17/2001
First Named Inventor	Srikanth Venkatraman
Examiner Name	D. Lukton
Art Unit	1653
Attorney Docket No.	IN01155K

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

19-0365

Schering-Plough Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0.00)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 250	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Petition for Patent Term Adjustment			200.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 200.00)

SUBMITTED BY

Name (Print/Type) Palaiyur S. Kalyanaraman

Registration No.

34,634

(Complete if applicable)

Telephone 908-298-5068

Signature

Date 03/23/2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT CASE
IN01155K

MAR 23 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of:

S. Venkatraman et al.

Serial No.: 09/836,636

Filed: April 17, 2001

For: "Macrocyclic NS3-Serine Protease:
Inhibitors of Hepatitis C Virus
Comprising Alkyl and Aryl
Alanine P2 Moieties"

Examiner: D. Lukton

Group Art Unit: 1653

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Petition

**APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST
FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT INDICATED
IN NOTICE OF ALLOWANCE (37 C.F.R. § 1.705)(b)**

Sir:

1. This is a request for reconsideration of the patent term adjustment of 132 days indicated in the Determination of Patent Term Adjustment Under 35 U.S.C. §154(b) that was attached to the Notice of Allowance mailed on March 10, 2004 in the present case. It is respectfully submitted that Applicants be afforded a patent term adjustment of 406 days.
2. The issue fee has not yet been paid.
3. Applicants submit herewith a "Statement of the Correct Patent Term Adjustment: Grounds Under 37 C.F.R. § 1.702 For the Adjustment" (37 C.F.R. § 1.705 (b) (2)(i) and (ii)).
4. Any patent granted on this application (37 C.F.R. § 1.705 (b) (2)(iii)) is not subject to a terminal disclaimer.
5. As to circumstances during the prosecution of this application constituting a failure to engage in reasonable efforts to conclude processing

or examination of the above-identified patent application as set forth in (37 C.F.R. § 1.704 (37 C.F.R. § 1.705 (b) (2)(iv)): there was none (37 C.F.R. § 1.705 (b) (2)(iv) (B).

6. The fee of \$200.00 set forth in (37 C.F.R. § 1.18(e), required by (37 C.F.R. § 1.705 (b) (1)), and any additional fees, may be charged to Deposit Account No. 19-0365. A Fee Transmittal Form is enclosed. Any refund in fees may be credited to the same Deposit Account.

March 23, 2004
Schering-Plough Corporation
2000 Galloping Hill Road
Patent Department, K-6-1, 1990
Kenilworth, NJ 07033
Tel: (908) 298-5068
Fax: (908) 298-5388

Respectfully submitted,



Dr. Palaiyur S. Kalyanaraman
Attorney for Applicants
Reg. No. 34,634

PATENT CASE
IN01155K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
In re Application of:S. Venkatraman *et al.*

Serial No.: 09/836,636

Filed: April 17, 2001

For: "Macrocyclic NS3-Serine Protease
Inhibitors of Hepatitis C Virus
Comprising Alkyl and Aryl
Alanine P2 Moieties"
-----X

Examiner: D. Lukton

Group Art Unit: 1653

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Petition**STATEMENT OF THE CORRECT PATENT TERM ADJUSTMENT:
GROUNDS UNDER 37 C.F.R. § 1.702 FOR THE ADJUSTMENT (37 C.F.R. §
1.705 (b)(2)(i) AND (ii))**

Sir:

1. This statement is being submitted in support of the "APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT INDICATED IN NOTICE OF ALLOWANCE (37 C.F.R. § 1.705)" to which this statement is attached.

37 C.F.R. § 1.705 (b)(2)(i)

2. The patent term adjustment shown on the Determination of Patent Term Adjustment Under 35 U.S.C. § 154(b) that was attached to the Notice of Allowance is 132 days. Applicants believe that this determination of 132 days is an error, due to improper calculations based on the entries in "PALM" by the USPTO. It is respectfully submitted that the correct patent term adjustment under 37 C.F.R. § 1.702 is 406 days.

37 C.F.R. § 1.705 (b)(2)(ii)

3. The basis on which Applicants seek adjustment is as follows:

A. Adjustment is sought for entry number 23 (non-final rejection) dated May 5, 2003, which paper acknowledged, for the first time, Applicants' Response to Election/Restriction (entry number 16) that Applicants filed on April 29, 2002. Since this is clearly more than the 4-month PTO Response under 35 U.S.C. § 132 to Applicant's Reply by 283 days, a **credit of 283 days** is due Applicants (37 C.F.R. § 1.703(a)(3)). None of the intervening papers acknowledged Applicants' Response to Election/Restriction (entry number 16).

B. Adjustment is sought for the projected issue date of September 21, 2004 which would be 157 days past the 3-Year PTO issue of Patent (37 C.F.R. § 1.702 (b) and 37 C.F.R. § 1.703 (b)). The projected issue date of September 21, 2004 is the Tuesday before the end of 28 weeks from the date of Notice of Allowance. Under the PTO Rules, the 3-year period for issue ends on April 17, 2004. Thus, a **credit of 157 days** is due Applicants.

Thus, a total of $(283 + 157 =)$ **440 days** is due as credit to Applicants.

C. Subtracting the debit of 34 days (entry number 16) in PALM, Applicants are entitled to a **net credit of 406 days**.

4. A copy of the Analysis Summary Report calculated by a commercial software as well as the Patent Term Adjustment History from PAIR are attached.

Applicants respectfully request a favorable decision on the patent term adjustment of 406 days in this case.

March 23, 2004
Schering-Plough Corporation
2000 Galloping Hill Road
Patent Department, K-6-1, 1990
Kenilworth, NJ 07033
Tel: (908) 298-5068
Fax: (908) 298-5388

Respectfully submitted,

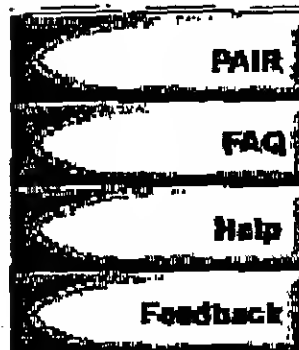
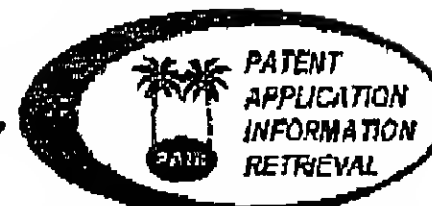
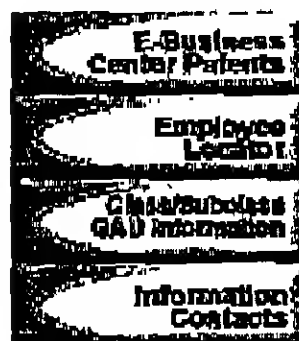


Dr. Palaiyur S. Kalyanaraman
Attorney for Applicants
Reg. No. 34,634



United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL**Other Links****Patent Term Adjustment (PTA) for publication number:
09/836,636**

			Days
Filing or 371(c) Date:	04-17-2001	USPTO Delay (PTO):	166
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	34
Post-Issue Petitions (days):	+0	Total PTA:	132
USPTO Adjustment (days):	+0	Explanation of Calculations	

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Image File Wrapper
File History
Publication Review
Published Documents

Search

Patent Term Adjustment History

Number	Date	Contents Description	PTO (days)	APPL (days)
43	03-10-2004	Mail Notice of Allowance		
42	03-10-2004	Mail Examiner Interview Summary (PTOL - 413)		
41	03-08-2004	Issue Revision Completed		
40	03-08-2004	Notice of Allowance Data Verification Completed		
39	03-08-2004	Case Docketed to Examiner in GAU		
38	03-08-2004	Notice of Allowability		
37	03-02-2004	Examiner Interview Summary Record (PTOL - 413)		
36	01-21-2004	IFW Amended case processing Complete		
35	01-21-2004	Date Forwarded to Examiner		
34	12-19-2003	Response after Non-Final Action		
33	11-21-2003	Information Disclosure Statement (IDS) Filed		
32	11-13-2003	Mail Non-Final Rejection		
31	11-13-2003	Non-Final Rejection		
30	10-16-2003	Date Forwarded to Examiner		
29	10-06-2003	Response after Non-Final Action		
28	07-23-2003	Mail Non-Final Rejection		
27	07-22-2003	Non-Final Rejection		
26	06-25-2003	Date Forwarded to Examiner		

25	06-24-2003	Response after Non-Final Action		
24	05-05-2003	Mail Non-Final Rejection		
23	05-05-2003	Non-Final Rejection		
22	03-14-2003	Date Forwarded to Examiner		
21	03-04-2003	Response to a Letter to Comply with the Sequence Rules		
20	03-12-2003	CRF Is Good Technically / Entered Into Database		
19	02-11-2003	Mail Letter Requiring CRF (Unreadable, Non-Compliant, Not Submitted)	166	
18	02-10-2003	CRF Diskette Unreadable / Did Not Comply / Required but Not Submitted	↑	
17	02-06-2003	Date Forwarded to Examiner	↑	
16	04-29-2002	Response to Election / Restriction Filed	↑	34
13	04-10-2002	Mail Notice of Informal or Non-Responsive Amendment		↑
12	03-26-2002	Preliminary Amendment		↑
11	04-10-2002	Date Forwarded to Examiner		↑
10.1	03-26-2002	Informal or Non-Responsive Amendment after Examiner Action		↑
10	03-26-2002	Response to Election / Restriction Filed		
9	02-19-2002	Mail Restriction Requirement		
8	02-15-2002	Requirement for Restriction / Election		
7	07-30-2001	Affidavit(s) (Rule 131 or 132) or Exhibit (s) Received		
6	08-09-2001	Information Disclosure Statement (IDS) Filed		
5	06-30-2001	Case Docketed to Examiner in GAU		
4	06-26-2001	Application Dispatched from OIPE		
3	06-25-2001	Correspondence Address Change		
2	04-29-2001	IFW Scan & PACR Auto Security Review		
1	04-17-2001	Initial Exam Team nn		

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Analysis Summary Report

Docket Number:	IN01155K	Analysis Generated:	03/19/2004 12:12:45 PM ET
Application Number:	09/836,636	User Name:	Blinka, Thomas
Filing Date:	04/17/2001	Firm/Company Name:	Schering-Plough Corporation
Title/Inventors:	MACROCYCLIC NS-3 SERINE PROTEASE INHIBITORS OF HEPATITIS C VIRUS COMPRISING ALKYL AND ARYL ALANINE P2 MOIETIES; Sikanth Venkatraman, Woodbridge, NJ		

Earliest Referenced Application Date:	04 / 19 / 2000
Filing Date (US National Application):	04 / 17 / 2001
Net Adjustment Credits:	440 Days
Net Adjustment Debits:	34 Days
Net Patent Term Adjustment:	406 Days
ATPA Patent Term End Date:	05 / 30 / 2021 (1)
(1) Assumes payment of all maintenance fees and no intervening acts. Terminal disclaimer(s) filed in this case, if any, may reduce the term. Without adjustment, the term would end on 04/19/2020.	

Event	Date	Description	First PTO Action	Applicant Response	Issue Date	Due Date	Days
A	04/17/2001 Filing Date under 35 USC 111(a) (US National Application)	14-Month PTO First Action PTO must mail a notification under 35 USC 132 or a notice of allowance under 35 USC 151 not later than 14 months after the date on which the application was filed under 35 USC 111(a) or fulfilled the requirements of 35 USC 371 in an international application. Period of adjustment (credits) begins on the day after the date that is 14 months after the date on which the application was filed under 35 USC 111(a) or fulfilled the requirements of 35 USC 371 and ending on the date of mailing of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(i); 37 CFR 1.702(a)(1), 1.703(a)(1).	First PTO Action: 02/19/2002 Restriction / Election-of-Species	0	0	0	0
B	04/17/2001 Filing Date under 35 USC 111(a) (US National Application)	3-Year PTO Issue of Patent PTO must issue a patent within 3 years (not including exclusions) after the date on which the application was filed under 35 USC 111(a) or the national stage commenced under 35 USC 371(b) or (f) in an international application. Period of adjustment (credits) begins on the day after the date that is 3 years after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 USC 371(b) or (f) in an international application and ending on the date a patent was issued, but not including the sum of the listed exclusionary periods. 35 USC 154(b)(1)(B); 37 CFR 1.702(b), 1.703(b). You have elected to analyze this rule under the PTO Interpretation. Under this interpretation, the last day of the three year period is 04/17/2004. Both interpretations produce the same result.	Issue Date: 09/21/2004 Issue Date	0	0	157	
C	02/19/2002 Restriction / Election-of-Species	3-Month Applicant Response to Notice or Action Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(i); 37 CFR 1.704(b). Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c). You have indicated that no 1.705(c) Showing of Due Care was made.	Applicant Response: 04/29/2002 Other	0	0	0	0

D	03/26/2002 Preliminary Amendment	Reply Having Omission Period of adjustment (credits) shall be reduced where applicant submits a reply having an omission (37 CFR 1.135(c)), for the period beginning on the day after the date the reply having an omission was filed and ending on the date that the reply or other paper correcting the omission was filed. 37 CFR 1.704(c)(7).	Reply/Other Paper Correcting Omission: 04/29/2002 Other	0	34	0
E	03/26/2002 Response to Election-of-Species/ Restriction Filed	4-Month PTO Response to Applicant Reply PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2)(3).	PTO Response: 05/05/2003 Non-final Action	0	0	283
F	04/10/2002 Informal or Non-Responsive Amendment after Examiner Action	3-Month Applicant Response to Notice or Action Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b). Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c). You have indicated that no 1.705(c) Showing of Due Care was made.	Applicant Response: 04/29/2002 Other	0	0	0
G	02/11/2003 Notice to Comply with Requirements for Sequence Disclosures	3-Month Applicant Response to Notice or Action Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b). Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c). You have indicated that no 1.705(c) Showing of Due Care was made.	Applicant Response: 03/04/2003 Response to Notice to Comply with Sequence Disclosures	0	0	0

<p>H</p> <p>05/05/2003 Non-final Action</p>	<p>1-Month Applicant Response to Notice or Action</p> <p>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).</p> <p>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).</p> <p>You have indicated that no 1.705(c) Showing of Due Care was made.</p>	<p><i>Applicant Response:</i></p> <p>06/24/2003 Reply after Non-final Action under 37 CFR 1.111</p>	0	0	0
<p>I</p> <p>06/24/2003 Reply after Non-final Action under 37 CFR 1.111</p>	<p>4-Month PTO Response to Applicant Reply</p> <p>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2), (3).</p>	<p><i>PTO Response:</i></p> <p>07/23/2003 Non-final Action</p>	0	0	0
<p>J</p> <p>07/23/2003 Non-final Action</p>	<p>3-Month Applicant Response to Notice or Action</p> <p>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).</p> <p>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).</p> <p>You have indicated that no 1.705(c) Showing of Due Care was made.</p>	<p><i>Applicant Response:</i></p> <p>10/06/2003 Reply after Non-final Action under 37 CFR 1.111</p>	0	0	0
<p>K</p> <p>10/06/2003 Reply after Non-final Action under 37 CFR 1.111</p>	<p>4-Month PTO Response to Applicant Reply</p> <p>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2), (3).</p>	<p><i>PTO Response:</i></p> <p>11/13/2003 Non-final Action</p>	0	0	0

<p>1</p> <p>11/13/2003 Non-final Action</p>	<p>3-Month Applicant Response to Notice of Action</p> <p>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).</p> <p>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).</p> <p>You have indicated that no 1.705(c) Showing of Due Care was made.</p>	<p><i>Applicant Response:</i></p> <p>12/19/2003 Reply after Non-final Action under 37 CFR 1.111</p>	0	0	0
<p>N1</p> <p>12/19/2003 Reply after Non-final Action under 37 CFR 1.111</p>	<p>4-Month PTO Response to Applicant Reply</p> <p>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(i); 37 CFR 1.702(a)(2), 1.703(a)(2),(3).</p>	<p><i>PTO Response:</i></p> <p>03/10/2004 Notice of Allowance under 35 USC 151</p>	0	0	0
<p>N</p> <p>03/10/2004 Notice of Allowance under 35 USC 151</p>	<p>3-Month Applicant Response to Notice of Action</p> <p>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).</p> <p>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).</p> <p>You have indicated that no 1.705(c) Showing of Due Care was made.</p>	<p><i>Applicant Response:</i></p> <p>06/10/2004 Issue Fee Payment under 35 USC 151</p>	0	0	0
<p>O</p> <p>06/10/2004 Issue Fee Payment under 35 USC 151</p>	<p>4-Month PTO Issue of Patent</p> <p>PTO must issue a patent not later than 4 months after the date on which the issue fee was paid under 35 USC 151 and all outstanding requirements were satisfied. The period of adjustment (credits) begins on the day after the date that is 4 months after the date the issue fee was paid and all outstanding requirements were satisfied and ends on the day the patent issues. 35 USC 154(b)(1)(A)(iv); 37 CFR 1.702(a)(4), 1.703(a)(6).</p>	<p><i>Issue Date:</i></p> <p>09/21/2004 Issue Date</p>	0	0	0
Total Exclusion, Debit, and Credit Days					
	0	34	440		

Overlap Days	0	0	0
Net Exclusion, Debit, and Credit Days	0	34	440
Net Patent Term Adjustment Days			406
The term of this patent ends on 05/30/2021 (2)			
(2) Assumes payment of all maintenance fees and no intervening acts. Terminal disclaimer(s) filed in this case, if any, may reduce the term. Without adjustment, the term would end on 04/19/2020.			